

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Al Mace

Docket No. 5:13-CR-20-4H

Petition for Action on Supervised Release

COMES NOW Scott Plaster, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Al Mace, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute 280 Grams or More of Cocaine Base (Crack), in violation of 21 U.S.C. §§ 846 and 841(b)(1)(A),, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on September 10, 2014, to the custody of the Bureau of Prisons for a term of 24 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Al Mace was released from custody on October 27, 2014, at which time the term of supervised release commenced.

On November 4, 2014, the conditions of supervision were modified to allow the defendant to make payments in the amount of \$50.00 per month towards his financial obligation until paid in full. The defendant has since satisfied his financial obligation.

On June 25, 2015, the court was notified via a Violation Report that the defendant had been charged with the offense of Communicating Threats. No action was taken and supervision was continued pending a disposition in state court. The charge was subsequently dismissed on July 7, 2015.

On March 22, 2016, a Violation Report was submitted to the court, advising the court of the defendant's use of marijuana. The defendant admitted to using marijuana, supervision was continued without a punitive sanction, and the defendant was placed in the Surprise Urinalysis Program.

A Violation Report was submitted to the court on August 16, 2016, advising the court that the defendant had been arrested and charged with the offenses of Possession of Marijuana up to ½ Ounce and Maintain Vehicle/Dwelling/Place for Controlled Substances. Supervision was continued pending a disposition in state court. The charges were dismissed on October 20, 2016.

On February 3, 2017, a Violation Report was submitted to the court, advising the court that the defendant had tested positive for marijuana use. A referral for substance abuse treatment was made, the defendant was returned to the Surprise Urinalysis Program, and supervision was continued with no additional action being taken.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: In reviewing the defendant's drug use history, it was also discovered that a sample submitted by the defendant on February 23, 2017, had tested positive for marijuana and cocaine. The defendant denied using cocaine or any additional marijuana after the court was notified on February 3, 2017, that the defendant had tested positive for marijuana in January. On August 7, 2017, the defendant submitted a urine specimen that tested positive for cocaine use. When confronted with the test result, the defendant stated his sister found suspected cocaine at her home, and he sampled the cocaine to confirm that it was actually cocaine. As a result of the defendant's latest drug use, he has once again been referred to substance abuse treatment. He continues to participate in the Surprise Urinalysis Program. Rather than return to court at this time, it is recommended the defendant be sanctioned by placing him on location monitoring with a curfew

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for a period not to exceed 60 days, as directed by the probation officer. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 60 consecutive days. The defendant is restricted to residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Jeffrey L. Keller

Jeffrey L. Keller

Supervising U.S. Probation Officer

/s/ Scott Plaster

Scott Plaster

U.S. Probation Officer

310 New Bern Avenue, Room 610

Raleigh, NC 27601-1441

Phone: 919-861-8808

Executed On: August 16, 2017

ORDER OF THE COURT

Considered and ordered this 17th day of August, 2017, and ordered filed and made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge